

Crowe
Signature of Sponsor

AMEND Senate Bill No. 1361

House Bill No. 516*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-11-1602(7)(A), is amended by inserting the language “pain management clinic;” between the language “residential hospice;” and the language “or nonresidential substitution-based”.

SECTION 2. Tennessee Code Annotated, Section 68-11-1602(7)(B)(iii), is amended by deleting the subdivision and substituting instead the following:

(iii) Any premises occupied exclusively as the professional practice office of a physician licensed pursuant to title 63, chapter 6, part 2, and title 63, chapter 9, or dentist licensed by the state and controlled by the physician or dentist. This exception shall not apply to a physician or physicians operating a pain management clinic, as defined in this section;

SECTION 3. Tennessee Code Annotated, Section 68-11-1602, is further amended by adding the following as a new subdivision to be appropriately designated:

() “Pain management clinic” means a pain management clinic as defined in § 63-1-301;

SECTION 4. Tennessee Code Annotated, Section 68-11-1607(a)(4), is amended by deleting the subdivision and substituting instead the following:

(4) Initiation of any of the following healthcare services: burn unit,

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neonatal intensive care unit, open heart surgery, extracorporeal lithotripsy, magnetic resonance imaging, cardiac catheterization, linear accelerator, positron emission tomography, swing beds, home health, hospice, psychiatric, rehabilitation, or hospital-based alcohol and drug treatment for adolescents provided under a systematic program of care longer than twenty-eight (28) days, counseling at a pain management clinic, or opiate addiction treatment provided through a nonresidential substitution-based treatment center for opiate addiction;

SECTION 5. Tennessee Code Annotated, Section 68-11-1607, is further amended by adding the following as a new subsection (n):

(n) Any requirement for a pain management clinic to obtain a certificate of need under this section shall not apply to a hospital and its related outpatient facilities that have been excluded from the application of title 63, chapter 1, part 3, by § 63-1-302.

SECTION 6. Tennessee Code Annotated, Section 68-11-1609(b), is amended by designating the existing language as subdivision (b)(1) and adding the following as a new subdivision (b)(2):

(2)

(A) In order to permit the development of appropriate criteria for evaluating an application for a certificate of need for a pain management clinic, the agency shall issue no certificates of need for new pain management clinics or for services covered under § 68-11-1607 for a pain management clinic until:

(i) The state health planning division has made recommendations

with respect to the appropriate criteria that are consistent with the state health plan; provided, that the recommendations for determining the capacity and distribution of existing healthcare resources shall be derived from the all payer claims database as set forth in § 56-2-125; provided, further, that the information derived from the database shall only be used for this purpose and shall remain confidential; and

(ii) The agency has adopted appropriate criteria for applications for pain management clinics.

(B) The state health planning division shall consult with the bureau of TennCare, department of health, and the department of mental health and substance abuse services before making recommendations to the agency.

SECTION 7. This act shall take effect July 1, 2015, the public welfare requiring it.